

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Affidavit of Service of the following:

- 1. Letter To The Honorable Shelley C. Chapman, United States Bankruptcy Judge**
- 2. Index of Annexed Exhibits to Letter of December 28, 2016**
- 3. Notice of Motion for Relief From Stay (Exhibit A)**
- 4. Motion for Relief From Stay (Exhibit B)**
- 5. Index of Exhibits in Support of Motion For Relief From Stay (Exhibit D)**
- 6. Proposed Judgment Entry (Exhibit C)**

On December 29, 2016 the foregoing was sent by express mail delivery so as to be received by **Friday, December 30, 2016 to the following,**

(A) **The Hon. Judge Shelley C. Chapman**, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, attn.: Chambers

(B) **Vito Genna, Clerk of Court** Southern District of New York Bankruptcy Court
One Bowling Green, New York, NY 10004-1408

(C) **the Office of the United States Trustee** for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz., Esq.):

(D) **Milbank, Tweed, Hadley & McCloy LLP**, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

(E) **Willkie Farr & Gallagher LLP**, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and

(F) **Rollin Braswell Fisher LLC**, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)

(G) **Michael S. Schuster**, Esq. Howell Schuster and Goldberg, LLP, 750 7th Avenue, 26th Floor NY New York 10019

(H) **Franklin H. Top III CHAPMAN AND CUTLER LLP** 111 West Monroe Street Chicago, Illinois 60603

(I) **INTERNAL REVENUE SERVICE** Special Procedures Branch Attn: District Director 290 Broadway New York, NY 10007

(J) **WEIL GOTSHAL & MANGES LLP** Attn: Harvey R. Miller, Esq. Lori R. Fife, Esq. Alfredo R. Perez, Esq. Jacqueline Marcus, Esq. Robert J. Lemons, Esq. Garrett A. Fail, Esq. 767 Fifth Avenue New York, NY 10153

(k) **Michael E. Carleton**, Esq., Andrew S. Dugan, Esq., c/o Manly Deas Kochalski, attorneys for Nationstar/ Box 165028, Columbus, OH 43216-5028

(L) **U.S. Bank National Association U.S. Bank Global Corporate Trust Services** 190 South LaSalle Street, 10th Floor Chicago, Illinois 60603 (Attention Legal Dept. and Kevin Goldade)

By: s/Danielle Gordon

Danielle P. Gordon, Pro Se Surviving Spouse of Jon S. Gordon 3572 Lytle Road Shaker Heights, Ohio 44122 216-752-0431(manual fax) 216-337- 4143 Daniellepg@outlook.com
notice to email



In Re: Lehman Brothers Holdings Inc., et al. Debtors.	Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered)
Structured Asset Securities Corporation	09-10558

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503. Additionally, this form should not be used to make a claim for Lehman Programs Securities (See definition on reverse side.)

THIS SPACE IS FOR COURT USE ONLY

Name and address of Creditor: (and name and address where notices should be sent if different from Creditor)

Danielle P. Gordon
3572 Lytle Road
Shaker Heights OH 44122

216-752-0431
Telephone number:

Email Address:

Name and address where payment should be sent (if different from above)

Telephone number:

Email Address:

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim

Number: _____
(If known)

Filed on: _____

☒ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$ Unknown

If all or part of your claim is secured, complete Item 4 below; however, if all of your claim is unsecured, do not complete item 4.

If all or part of your claim is entitled to priority, complete Item 5.

If all or part of your claim qualifies as an Administrative Expense under 11 U.S.C. §503(b)(9), complete Item 6.

☐ Check this box if all or part of your claim is based on a Derivative Contract.*

☐ Check this box if all or part of your claim is based on a Guarantee.*

*IF YOUR CLAIM IS BASED ON AMOUNTS OWED PURSUANT TO EITHER A DERIVATIVE CONTRACT OR A GUARANTEE OF A DEBTOR, YOU MUST ALSO LOG ON TO <http://www.lehman-claims.com> AND FOLLOW THE DIRECTIONS TO COMPLETE THE APPLICABLE QUESTIONNAIRE AND UPLOAD SUPPORTING DOCUMENTATION OR YOUR CLAIM WILL BE DISALLOWED.

☒ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of interest or additional charges. Attach itemized statement of interest or charges to this form or on <http://www.lehman-claims.com> if claim is a based on a Derivative Contract or Guarantee.

2. Basis for Claim: Note and Mortgage;
(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 8737

3a. Debtor may have scheduled account as: Structured Security
(See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: ☒ Real Estate ☐ Motor Vehicle ☐ Other

Describe: Personal Residence

Value of Property: \$ 140-160k Annual Interest Rate 7.5%

Amount of arrearage and other charges as of time case filed included in secured claim, if any:

\$ 135k Basis for perfection: Note and

Mortgage

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____

6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. §503(b)(9): \$ _____
(See instruction #6 on reverse side.)

5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim:

☐ Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Wages, salaries or commissions (up to \$10,950), earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).

☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

☒ Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(_____).

Amount entitled to priority:
\$ _____

Date: 10-29-16

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

Danielle Gordon

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

Items to be completed in Proof of Claim form

Name of Debtor, and Case Number:

YOU MUST INDICATE THE SPECIFIC DEBTOR AGAINST WHICH YOUR CLAIM IS ASSERTED, INCLUDING THE NAME OF THE DEBTOR AND THE RELATED CASE NUMBER (DEBTORS AND CASE NUMBERS LISTED BELOW), IN THE SPACE ALLOTTED AT THE TOP OF THE CLAIM FORM.

08-13555	Lehman Brothers Holdings Inc	08-13905	CES Aviation LLC
08-13600	LB 745 LLC	08-13906	CES Aviation V LLC
08-13885	Lehman Brothers Commodity Services Inc	08-13907	CES Aviation IX LLC
08-13888	Lehman Brothers Special Financing Inc.	08-13908	East Dover Limited
08-13893			Lehman Brothers OTC Derivatives Inc.
08-13899	Lehman Brothers Derivative Products Inc	09-10137	BNC Mortgage LLC
08-13900	Lehman Commercial Paper Inc.	09-10558	Structured Asset Securities
08-13902	Lehman Brothers Financial Products Inc.	09-12516	LB 2080 Kalakaua Owners LLC
08-13904	Lehman Scottish Finance L.P.	08-13664	PAMI Statler Arms LLC

State the value of any goods received by the debtor within 20 days before the date of Corporation commencement in which the goods have been sold to the debtor in the ordinary course of the debtor's business.

08-13901 Lehman Brothers Commercial 09-10560 LB Rose Ranch LLC of the

multiple Debtors, complete a separate form for each Debtor. payments received toward the debt.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it also differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4, 5 and 6. Check the box if interest or other charges are included in the claim. filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules.

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services or other person authorized to file this claim. State the filer's address and telephone performed, personal injury/wrongful death, car loan, mortgage note, and credit card. number if it differs from the address given on the top of the form for purposes of

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor

4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the

appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS,

below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority. Loan Finance S.a.r.l.

6. Amount of Claim that qualifies as an Administrative Expense under 11 U.S.C. §503(b)(9)

State the value of any goods received by the debtor within 20 days before the date of Corporation commencement in which the goods have been sold to the debtor in the ordinary course of the debtor's business.

7. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any If your Claim is against multiple Debtors, complete a separate form for each Debtor. payments received toward the debt.

8. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must

attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is specifying what constitutes a signature. Print the name and title, if any, of the

receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

In Re: Lehman Brothers Holdings Inc., et al. Debtors.	Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered)
Lehman Brothers Holdings Inc	08-13555

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503. Additionally, this form should not be used to make a claim for Lehman Programs Securities (See definition on reverse side.)

THIS SPACE IS FOR COURT USE ONLY

Name and address of Creditor: (and name and address where notices should be sent if different from Creditor)

Danielle P. Gordon
3572 Lytle Road
Shaker Heights OH 44122

216-752-0431

Telephone number:

Email Address:

Name and address where payment should be sent (if different from above)

Telephone number:

Email Address:

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim

Number: _____

(If known)

Filed on: _____

☒ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

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☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of interest or additional charges. Attach itemized statement of interest or charges to this form or on <http://www.lehman-claims.com> if claim is based on a Derivative Contract or Guarantee.

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Nature of property or right of setoff: ☒ Real Estate ☐ Motor Vehicle ☐ Other

Describe: Personal Residence

Value of Property: \$ 140-160k Annual Interest Rate 7.5 %

Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ 135k Basis for perfection: Note and

Mortgage

Amount of Secured Claim: \$ Amount Unsecured: \$

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☐ Up to \$2,425 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(_____).

Amount entitled to priority:

\$

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Date: 12-29-16
Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.
Danielle Gordon

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

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		08-13901	Lehman Brothers Commercial

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08-13904 Lehman Scottish Finance L.P. 08-13664 PAMI Statler Arms LLC calculating the amount of the claim, the creditor gave the debtor credit for any If your Claim is against multiple Debtors, complete a separate form for each Debtor. payments received toward the debt

Creditor's Name and Address:

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State the type of debt or how it was incurred. Examples include goods sold, money loaned, services or other person authorized to file this claim. State the filer's address and telephone performed. personal injury/wrongful death, car loan, mortgage note, and credit card. number if it differs from the address given on the top of the form for purposes of

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State the value of any goods received by the debtor within 20 days before the date of Corporation commencement in which the goods have been sold to the debtor in the ordinary course 08-13901 Lehman Brothers Commercial 09-10560 LB Rose Ranch LLC of the

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attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). Do not send original documents, as attachments may be destroyed after scanning.

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receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

Danielle P. Gordon, Pro Se
Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
In re	:	Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	
Debtors	:	08-13555(scc)
:	:	(Jointly Administered)
-----X		

To The Honorable Shelley C. Chapman, United States Bankruptcy Judge:

I am an interested party and homeowner in Shaker Heights, Ohio since 1998. In September of 2016, I filed a motion regarding my home, and a claim held by U.S. Bank, the Trustee, to the Structured Asset Securities Corporation Trust: LXS 2007-8H; Claim 15989.**[Doc. 53755]** In November of 2016, I filed an Application to for abandonment of real property.

The Application to Abandon the Property was triggered by the Foreclosure Plaintiffs action in enforcement of a writ of possession on its judgment. Since that request, the writ was cancelled, another one issued and notice was again posted on my front door, indicating a date of January 24, 2017.

Being a Defendant in foreclosure, one associates the lifting of a stay with negative consequences. Generally, it precedes an eviction. Recently, I was reassured to learn this relief is specific to a filing party.

Therefore, annexed, for This Honorable Court's Consideration as an exhibit is the
"Notice of A Motion", "Motion for a Modified Relief from Stay", a "Proposed Judgement
Entry", and an "Index of Supporting Exhibits to Motion for Modified Relief From Stay".

Respectfully Submitted on December 28, 2016 by:

. s/Danielle Gordon
Danielle P. Gordon Pro Se
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual) 216-337-4143
notice to daniellepg@outlook.com

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Affidavit of Service:

On December 28, 2016, I sent the foregoing to the following via United States Mail, Postage prepaid.

(A) **The Hon. Judge Shelley C. Chapman**, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, attn.: Chambers

(B) **Vito Genna, Clerk of Court** Southern District of New York Bankruptcy Court
One Bowling Green, New York, NY 10004-1408

(C) **the Office of the United States Trustee** for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz,, Esq.):

(D) **Milbank, Tweed, Hadley & McCloy LLP**, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

E) **Willkie Farr & Gallagher LLP**, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and

(F) **Rollin Braswell Fisher LLC**, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)

(G) **Michael S. Schuster**, Esq. Howell Shuster and Goldberg, LLP, 750 7th Avenue, 26th Floor NY New York 10019

(H) **Franklin H. Top III** CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

(I) **INTERNAL REVENUE SERVICE** Special Procedures Branch Attn: District Director 290 Broadway New York, NY 10007

(J) **WEIL GOTSHAL & MANGES LLP** Attn: Harvey R. Miller, Esq. Lori R. Fife, Esq. Alfredo R. Perez, Esq. Jacqueline Marcus, Esq. Robert J. Lemons, Esq. Garrett A. Fail, Esq. 767 Fifth Avenue New York, NY 10153

(k) **Michael E. Carleton**, Esq., Andrew S. Dugan, Esq. David B. Bokor, Esq., c/o Manly Deas Kochalski, attorneys for Nationstar/ Box 165028, Columbus, OH 43216-5028

(L) **U.S. Bank National Association U.S. Bank Global Corporate Trust Services** 190 South LaSalle Street, 10th Floor Chicago, Illinois 60603

By:s/Danielle Gordon

Danielle P. Gordon, Pro Se Surviving Spouse of Jon S. Gordon 3572 Lytle Road Shaker Heights, Ohio 44122 216-752-0431(manual fax) 216-337- 4143 Daniellepg@outlook.com
notice to email

INDEX OF ANNEXED EXHIBITS

[Doc. 53755]

Danielle P. Gordon, Pro Se
Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
In re	:	Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	
Debtors	:	08-13555(scc)
:	:	(Jointly Administered)
:	:	
-----X		

INDEX OF EXHIBITS TO LETTER OF DECEMBER 28, 2016

Exhibit/Number.....	Title.....	Approximate page number
(A)...	Notice of Motion for Relief From Stay.....	6
(B)...	Motion for Relief From Stay.....	8
(C).....	Proposed Order of Relief from Stay.....	36
(D).....	Index of Supporting Exhibits to Motion For Relief From Stay... 	16

Respectfully Submitted On December 28, 2016

/s/Danielle Gordon
Danielle P. Gordon Pro Se
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual) 216-337-4143
notice to daniellepg@outlook.com

Exhibit A

Danielle P. Gordon, Pro Se
Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

OBJECTION DEADLINE: JANUARY 13, 2017
[Doc. 53755]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
In re	:	Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	
Debtors	:	08-13555(sec)
:	:	(Jointly Administered)
-----X		

Notice of motion for Relief From Stay 4001(a)(1)

NO HEARING WILL BE CONDUCTED ON THIS PLEADING UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FIFTEEN (15) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

Danielle Pauer Gordon, pro se, gives notice of a motion to request a Relief from Stay, on her residential home, in the form of a modified stay, or any relief the Court fashions.

Property Address: 3572 Lytle Rd Shaker Hts 44122

Respectfully Submitted on December 28, 2016 By:

s/Danielle Gordon

Danielle P. Gordon Pro Se
3572 Lytle Road Shaker Heights, Ohio 44122
216-752-0431 (fax/manual) 216-337-4143
notice to daniellepg@outlook.com

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK
Affidavit of Service:

On December 28, 2016, I sent the foregoing to the following via United States Mail. Postage prepaid.

(A) **The Hon. Judge Shelley C. Chapman**, United States Bankruptcy Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408, attn.: Chambers

(B) **Vito Genna, Clerk of Court** Southern District of New York Bankruptcy Court
One Bowling Green, New York, NY 10004-1408

(C) **the Office of the United States Trustee** for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn: William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz., Esq.);

(D) **Milbank, Tweed, Hadley & McCloy LLP**, 1 Chase Manhattan Plaza, New York, New York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell, Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

(E) **Willkie Farr & Gallagher LLP**, 787 Seventh Avenue, New York, New York 10019 (Attn: Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for LBHI and certain of its affiliates; and

(F) **Rollin Braswell Fisher LLC**, 8350 East Crescent Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and Maritza Dominguez Braswell, Esq.)

(G) **Michael S. Schuster**, Esq. Howell Shuster and Goldberg, LLP, 750 7th Avenue, 26th Floor NY New York 10019

(H) **Franklin H. Top III** CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago, Illinois 60603

(I) **INTERNAL REVENUE SERVICE** Special Procedures Branch Attn: District Director 290 Broadway New York, NY 10007

(J) **WEIL GOTSHAL & MANGES LLP** Attn: Harvey R. Miller, Esq. Lori R. Fife, Esq. Alfredo R. Perez, Esq. Jacqueline Marcus, Esq. Robert J. Lemons, Esq. Garrett A. Fail, Esq. 767 Fifth Avenue New York, NY 10153

(k) **Michael E. Carleton**, Esq., Andrew S. Dugan, Esq., c/o Manly Deas Kochalski, attorneys for Nationstar/ Box 165028, Columbus, OH 43216-5028

(L) **U.S. Bank National Association U.S. Bank Global Corporate Trust Services** 190 South LaSalle Street, 10th Floor Chicago, Illinois 60603

By: s/Danielle Gordon

Danielle P. Gordon, Pro Se Surviving Spouse of Jon S. Gordon 3572 Lytle Road Shaker Heights, Ohio 44122 216-752-0431 (manual fax) 216-337-4143 Daniellepg@outlook.com
notice to email

Exhibit B	Objection Deadline:	January 13, 2017	4001(a)(1)
------------------	----------------------------	-------------------------	-------------------

Danielle P. Gordon, Pro Se
Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re	:
LEHMAN BROTHERS HOLDINGS INC., et al.,	:
Debtors	:
:	:
:	:
-----X	

**4001(a)(1) MOTION for RELIEF FROM STAY
and TO PRESERVE THE STATUS QUO (Nunc-Pro-Tunc)**

(1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue in this Court is proper pursuant to 28 U.S.C. §§ 1391(b), 1408, and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), Fed. R. Bankr.P. 4001, U.S.C.361, 362(c)(3)(A), U.S.C. § 362(d)(1),362(a)(5), (6) and/or U.S.C. 541 (a) §541(a)(7) 362(d)(2)(a) , and/or 105, 362(k)

Now comes Danielle Pauer Gordon, pro se; a party in interest, and claimant, and moves this Court for a modification of the stay, of the property (known as 3572 Lytle Road, Shaker Heights, Ohio 44122) in order to preserve the status quo in possession of the property. The judgment creditor from Movants foreclosure case is once more prepared to execute a writ. The writ was issued for January 24, 2017. **(Exhibit: 2nd Pluries Praeipice p.25, D-6; Cancelled Writ, D-7 p.22; D-5, Writ of Possession p.23)**

Notice of the writ posted on Movants front Door; scheduled for Jan. 24, 2017

Background

A 2008 foreclosure was dismissed, (post-summary judgment) in favor of Movant. In 2012, Aurora Bank FSB refiled the foreclosure. Movant was substituted as a Defendant for Movants' deceased husband (Jon S. Gordon) in that case. Since Mr. Gordon is deceased, no attempt was made to serve Mr. Gordon, and Movant was not served with the summons and complaint. A default judgment was entered in favor of the Substitute Plaintiff, Nationstar Mortgage.

Nationstar, the servicer purchased the property at the sale. Nationstar paid \$2722.30 cash for the property and posted a receipt for an additional amount, possibly attempting to imply a credit bid. No release was ever filed. It transferred the property to U.S. Bank National Association, Trustee, for the LXS 2007-8H, Series 5-H, or LXS 2007-8H Trust. U.S. Bank was not joined in the case. The mortgage was not transferred to the trustee pre-foreclosure. **(Exhibits: Final two Mortgage Assignments: Aurora Loan Services to Aurora Bank, D-10, p. 30; Aurora Bank to Nationstar, D-11, p. 32; Sheriffs Deed to U.S. Bank, D-8p. 20; Return of Sale, D-9 p. 27).**

A Consumer, A Creditor with Possessory and Equitable Interest

A modification of the stay to protect the status quo will prevent one creditor from taking unfair advantage of proceeding outside of the Bankruptcy venue and jurisdiction. Movant is a residential homeowner, and is entitled to remain vested in a home of nearly 19 years. Movant alleges no other party has a right to displace her from her home. While another may claim an interest, any such allegation represents only a fractional interest, and is not based upon the fee simple effective to transfer title.

Movant requires adequate protection

Possession assures Movant of adequate protection in Movants' lien, which is security for her interest in the real property. This represents Movants residential home. Movant also asks for consideration of Movants' rights in the homeowners insurance and the tax bill; to wit:

Since Movants' homeowners insurance was cancelled in July of 2015, Movant has been unable to ascertain whether the party holding title has maintained the same. Neither U.S. Bank, nor Nationstar will inform Movant of the status of the insurance policy. Movant has been denied, duplicate tax billing although Movant is entitled to the primary tax bill.

Notice Given as of May 2014

Movant placed all parties in the State Court action on Direct notice of the Bankruptcy Stay on May 23, 2014, in the body of a supplemental objection, and also used pages from this case as an exhibit to the pleading. Movant did not receive a response from the Plaintiff or the Court. **(Exhibit D-1,p. 19 Trial Docket 15-92,94 Proof of filing of Pleading)**

Excerpt from page 4 of Defendants pleading filed on May 23, 2014:

Exhibit S is a pleading from the United States Bankruptcy Court for The Southern District of New York. It is a relief from the Automatic Stay, regarding certain real property located in Cleveland, Ohio.

One of the Stipulating Parties is Aurora Loan services. This was In August of 2011. They agreed that on September 15, 2008, that a Chapter 11 Bankruptcy was filed. Aurora is an indirect wholly owned subsidiary of LBHI.

In the subject of the discussion case, there was an assignment of a mortgage, and the note was lost, but Aurora sought an order modifying the automatic stay pursuant to Chapter 362 of the Bankruptcy Code, in order to proceed with a foreclosure in a State Court.

It says further that on page 2, number 3.

"Except as provided in paragraph 2, the provisions of section 362 (a) of the Bankruptcy Code, including, without limitation, those provisions prohibiting any act to collect, assess or recover a claim that arose prior to

the Commencement Date from the debtors estates and/or assets or property of the Debtors (as defined in section 541 of the Bankruptcy Code) shall remain in full force and effect.”

(SUPPLEMENTAL OBJECTIONS TO MAGISTRATES DECISION OF APRIL 17, 2014 , Filed on May 23, 2014. **CV-12773416**. Aurora Bank FSB Plaintiff, Nationstar Mtg. Substitute Plaintiff v Defendants Jon Gordon (Deceased), Danielle Power Gordon as possible heir of Jon Gordon)

If Nationstar proceeds in execution to evict Movant and all her belongings , it will attain a possessory interest. it will be entitled to request to have the property abandoned to it.

Nationstar has no equity and no legal interest in the property: is not the titled owner. It will receive an undeserved windfall, without any legal right to the property. This is in utter disregard for the rights of a property owner.

Because it did not give fair value, Nationstar will not legally be entitled to transfer the property to a third party. However, once it gains a possessory interest, it might accomplish this transfer through a Bankruptcy motion, which will allow it to “wash” the title. In complete disregard for the fact that there have not been *any* arms length transactions.

Movant feels this is an attempt to hide something illicit in plain sight.

U.S. Bank : Self-Serving, Ultra Vires:

U.S. Bank filed a petition to sell the collateral in the trusts from the Estate or that Debtors now own, to recoup its expenses. It is not holding the Title of the property in its capacity as a fiduciary for the interests of the Debtors or the Estate.

In late March 2015, the Trustee filed a petition (a "Petition") with respect to each Trust to obtain court instruction with respect to the administration of such Trust pursuant to Minn. Stat. § 501B.16 in the District Court of Hennepin County, Minnesota (the "Minnesota Court"). In each Petition, the Trustee on behalf of the Trust requested authority from and after January 1, 2015 to use Trust assets to pay Protocol Expenses related to the pursuit of RMBS Claims from pre-waterfall Trust funds without application of the Applicable Cap. The relevant Petitions and

related orders for hearing were timely distributed to Holders and other potential parties in interest for each Trust. On May 12 and May 13, 2015, a hearing was held by the Minnesota Court addressing the Petitions. On June 5, 2015, the Minnesota Court entered findings of fact, conclusions of law and an order for judgment authorizing such request with respect to each such Trust (each, an "Order for Judgment"). True and correct copies of the Orders for Judgment are available by contacting the Trustee. [...]

Holders should not rely on the Trustee as their sole source of information. The Trustee does not make any recommendation, or give any investment, tax, or legal advice. Each Holder should seek advice from its own counsel and advisors based on the Holder's particular circumstances.

(Trust Investor Reporting, LXS 2007 8-H)

The Indenture Trustee is the party currently vested with legal title of Movants house. U.S. Bank, was not joined as a party to the foreclosure case. U.S. Bank, did not file an objection to Movants' Motions or Application to Abandon Property of the Estate filed in this Bankruptcy case.

U.S. Bank has already indicated that its intention is to liquidate the assets to cover expenses that may not otherwise be paid. These two creditors will, given the opportunity, deprive Movant of the right to a claim in the bankruptcy. The actions show no respect for Movants interests in the matter, they disrespect the principles of Bankruptcy, and attempt to strip the asset from the Estate or Debtors schedules.

U.S. Bank and Nationstar do not have a contract with Movant. Neither have the right to even bring an action against Movant: they do not have the requisite injury. They have no right to convert Movant's property outside of the Bankruptcy Court without notice to Movant. But, by virtue of their size and maneuvering they are about to do just that. They did not do it based on anything to do with a mortgage. It had to do with anticipatory breach, with the Debtors and the Estate. Movant does not believe that Movants private residence is fair game.

Movant is a party, who is entitled to object, and under the circumstances, feels that the property is safely kept in Movants custody, where it will not be transferred until the dispute is settled.

Movant is the only party with Substantial Equity

Movant owns the first record lien in the property. Movant is the party with a possessory interest and has had possession since 1998. Movant does not owe, but is owed a debt on the same property. Movant is the only party with substantial equity in the property. *The property is worth* an estimated \$140,00-\$160,000. It is encumbered with a mortgage, the note is a total of 135,000 at 7.5% . The mortgage was recorded in 2005, and Movant is the note holder. **(Exhibits: D-2, p. 17-18 Mortgage; D-3, p.20 Note; D-4, p.21 Proof of recording).**

Movant is entitled to an equity interest based on the spouses share, as Mr. Gordon has been deceased since May 23, 2009. As the two forms of interest may be cumulative; Movant is entitled to equity for the dower rights from April of 1999. Movant was not listed on the title of the property. Movant did not execute the Mortgage in controversy.

Clearly, a second position foreclosing lender, has only a fractional interest in the property at best. In reality, the price Nationstar paid in cash may have represented the value of the equity in the lien it was servicing.

Estate and Orderly Liquidation

A modification of the stay will not deter the orderly liquidation of the the Estate.

Balance of Impact

As a consumer, losing her home to a foreclosure; the disparity of the impact amplifies the irony of the situation. To Movant, it will be a complete loss. To any other party it will be a loss of a windfall, or a minor windfall.

Relief Requested:

Movant Respectfully asks This Court to issue a nunc-pro-tunc Relief from Stay, from May 23, 2014; the first time Movant directly noticed the state court parties of these Proceedings. Due to the time constraints imposed, and the newly scheduled eviction of January 24, 2017, Movant also asks the Court to grant this relief, and in addition, injunctive relief the Court finds appropriate at the earliest possible date.

A hearing was scheduled in the related matters, but has been adjourned indefinitely. A Proposed Order is annexed to this motion as an exhibit.

Respectfully Submitted on December 28, 2016 By:

/s/Danielle Gordon
Danielle P. Gordon Pro Se
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual) 216-337-4143
notice to daniellepg@outlook.com

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK
Affidavit of Service:

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(G) **Michael S. Schuster**, Esq. Howell Shuster and Goldberg, LLP, 750 7th Avenue, 26th Floor NY New York 10019

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(I) **INTERNAL REVENUE SERVICE** Special Procedures Branch Attn: District Director 290 Broadway New York, NY 10007

(J) **WEIL GOTSHAL & MANGES LLP** Attn: Harvey R. Miller, Esq. Lori R. Fife, Esq. Alfredo R. Perez, Esq. Jacqueline Marcus, Esq. Robert J. Lemons, Esq. Garrett A. Fail, Esq. 767 Fifth Avenue New York, NY 10153

(k) **Michael E. Carleton, Esq.**, Andrew S. Dugan, Esq., c/o Manly Deas Kochalski, attorneys for Nationstar/ Box 165028, Columbus, OH 43216-5028

(L) **U.S. Bank National Association U.S. Bank Global Corporate Trust Services** 190 South LaSalle Street, 10th Floor Chicago, Illinois 60603

By: Danielle Gordon

Danielle P. Gordon, Pro Se Surviving Spouse of Jon S. Gordon 3572 Lytle Road Shaker Heights, Ohio 44122 216-752-0431(manual fax) 216-337- 4143 Daniellepg@outlook.com
notice to email

Exhibit D

Danielle P. Gordon, Pro Se

Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
In re	:	Chapter 11 Case No.
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	
Debtors	:	08-13555(scc)
:	:	(Jointly Administered)

Exhibit (D)

Index of Supporting Exhibits To Motion For Relief From Stay

Exhibit/Number..... Title.....Approximate page number

(D-1)... Page 15 of Pagination; 92-94.....19

Certified trial docket pagination, shows date of pleading;. Case is available for review on the Case docket; CV 12-773416; Cuyahoga County Court of Common Pleas.

(D-2)... Ohio City Mortgage.....17-18

A copy of Ohio City mortgage; Security for the note

(D-3).... Evidence of Recording (Screenshot).....20

Proof that the Ohio City mortgage was recorded in Cuyahoga County in 2005

(D-4)..... Ohio City Note.....21

Ohio City Property Management Note, Granted for Mortgage

(D-5).... Writ of Possession of December 19, 201623-24

Notice of the writ posted on Movants front Door; scheduled for Jan. 24, 2017

(D-6)..... 2nd Pluries Praeipie of December 16, 2016.....25

Pluries praecipe for writ filed by Nationstar in Cuyahoga County Common Pleas Court.

(D-7)... Cancelled Writ December 12-14 2016.....22
Pluries writ stamped and cancelled by Sherriff with costs assessed and paid.

(D-8)...Return of Sale..29

(D-9).....Sheriffs Deed.....27

(D-10....Mortgage Transfer Aurora Loans/Aurora Bank.....30

(D-11)... Mortgage Transfer Aurora Bank/Nationstar.....32

(D-12).....Proof of Claim Form(S).....34

Respectfully Submitted on December 28, 2016 By:

s/Danielle Gordon
Danielle P. Gordon Pro Se
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual) 216-337-4143
notice to daniellepg@outlook.com

Witness

hand(s) this

day of.

Exhibit D-2

Ohio City Mtg.

Signed and acknowledged in presence of:

Jon S. Gordon

Danielle Gordon

State of

County of

ss.

Be It Remembered, That on the 19th day of May 2005,

before me, the subscriber, a Notary Public in and for said county,

personally came Jon S. Gordon & Danielle Gordon

the Mortgagor(s) in the foregoing Mortgage, and acknowledged the signing thereof to be

their voluntary act and deed.

In Testimony Whereof, I have hereunto subscribed

my name and affixed my notary seal

on the day and year last aforesaid.

CUYAHOGA COUNTY RECORDER
200806030947 PAGE 2 of 2

Michelle M. Razawski

MICHELLE M. RAZAWSKI

Notary Public, State of Ohio

My Commission Expires Sept. 27, 2006

Recorded in Cuyahoga County

This instrument was prepared by Marvin Ritzenberg, Attorney
629 Euclid Avenue, Ste. 1020
Cleveland, OH 44114
216-696-3252



Notary Form)

FROM

J. GORDON

TO

CITY PROPERTY MANAGEMENT, INC.

County, ss.

day

cord on the

, at

t.

Page

No.

County Recorder

That

JON S. GORDON, married

D-2

(insert marital status)

of Cuyahoga County, Ohio,
for One-hundred and thirty-five thousand----- Dollars (\$ 135,000.00) paid

Grant(s), with mortgage covenants, to OHIO CITY PROPERTY MANAGEMENT, INC.

of

the following described Real Property:

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio, and known as being Sublot No. 2305, in a reallotment of part of the Van Sweringen Company's Subdivision No. 24, of part of Original Warrensville Township Lot No. 55, as shown by the recorded plat in Volume 96 of Maps, Page 10 of Cuyahoga County Records, and being 50 feet front on the Westerly side of Lytle Road, 121-89/100 feet deep on the Northerly line, 127-35/100 deep on the Southerly line, and being 50-30/100 feet in the rear, as appears by said plat. Subject to and together with all easements, restrictions and legal highways, if any of record.

Mortgagor claims title to the above described property by virtue of an instrument recorded in Deed Book AFN 199811301838 page of the Cuyahoga County, Ohio, Records.

This mortgage is given, upon the statutory condition, to secure the payment of One-hundred and thirty-five thousand Dollars (\$ 135,000.00) with interest as provided in a note of even date.

"Statutory condition" is defined in Section 5302.14 of the Revised Code and provides generally that if the mortgagor pays the principal and interest secured by this mortgage, performs the other obligations secured hereby and the conditions of any prior mortgage,

Plaintiffs

Case Number: CV-12- 773416

VS

COA Case Number: CA-15- 103074

DANIELLE POWER GORDON ETAL
Defendant

PAGINATION OF RECORD RULE 10B OF
APPELLATE PROCEDURE

- 87 04/24/2014 ✓ D1 DANIELLE POWER GORDON MOTION TO REQUEST
MAGISTRATE'S DECISION INCLUD FINDINGS OF FACT
AND CONCLUSIONS OF LAW ... PRO SE 9999999
09/25/2014 - DENIED
- 88 04/25/2014 ✓ MAGISTRATE'S DECISION ADDRESSED TO CLEVELAND
ONE LLP RETURNED BY THE U.S. POSTAL SERVICE FOR
FAILURE OF SERVICE DUE TO RETURN TO SENDER -
NOT DELIVERABLE AS ADDRESSED- UNABLE TO
FORWARD MAIL FEE \$0.69
- 89 05/01/2014 ✓ OBJECTION FILED BY D1 DANIELLE POWER GORDON
ATTORNEY PRO SE 9999999 OBJECTIONS TO
MAGISTRATES DECISION OF APRIL 17, 2014
- 90 05/09/2014 ✓ GENERAL PLEADING FILED BY P1 AURORA BANK FSB
ATTORNEY DAVID B BOKOR 0061515 COMBINED
REPLIES TO DEFENDANT'S MOTION TO REQUEST
MAGISTRATE'S DECISION INCLUDE FINDINGS OF FACT
AND CONCLUSION OF LAW AND TO DEFENDANT'S
OBJECTION TO MAGISTRATE'S DECISION OF APRIL 17,
2014
- 91 05/19/2014 ✓ NOTICE FILED BY ATTORNEY SERVICE PAGE FOR SUR
REPLY.
- 92 05/23/2014 ✓ OBJECTION FILED BY D1 DANIELLE POWER GORDON
ATTORNEY PRO SE 9999999 SUPPLEMENTAL
OBJECTIONS TO MAGISTRATES OPINION OF APRIL 17,
2014
- 93 05/23/2014 ✓ GENERAL PLEADING FILED BY D1 DANIELLE POWER
GORDON ATTORNEY PRO SE 9999999 EXHIBITS FOR
MAY 23 OBJECTIONS
- 94 05/23/2014 ✓ GENERAL PLEADING FILED BY D1 DANIELLE POWER
GORDON ATTORNEY PRO SE 9999999 EXHIBITS FOR
MAY 23 OBJECTIONS
- 95 06/02/2014 ✓ GENERAL PLEADING FILED BY P1 AURORA BANK FSB
ATTORNEY DAVID B BOKOR 0061515 COMBINED
MOTION TO STRIKE AND REPLY TO DEFENDANT'S

CMSR6128

Exhibit D-3

Evidence of Recording

Cuyahoga County
Fiscal Officer

1207-50468 E.O. 14176-2008

Home
Search Database
Property Alert
Fiscal Office

Search Results

[\[View Image\]](#)

AEN: 200506030647 Type: MORT - MORTGAGE
Date Recorded: 06-03-2005 Number of Pages: 2
Book: Page: Amount: \$135,000.00

Grantor

Type	Last Name	First Name	M. Name	Detail
R	GORDON	JON	S	

Grantee

Type	Last Name	First Name	M. Name	Detail
E	OHIO CITY PROP MGMT INC			

References

Type	AEN	Book/Page
------	-----	-----------

Legal Description

Category	Value
Sublot:	2305
Original Lot:	55
Township:	WARRENSVILLE
Street Name:	LYTLE
Parcel #:	

Comments

Cuyahoga County R... saved mail - daniel... motion for modifi... may 2005 note.pdf ...

Exhibit D-4

No. 10 (1974)

THE OHIO LEGAL BLANK CO., CLEVELAND

Ohio City Note

May, 2005

For value received the undersigned,

JON S. GORDON

promises to pay to the order of OHIO CITY PROPERTY MANAGEMENT, INC.

One-hundred and thirty-five thousand -----Dollars,

with interest at the rate of 7 per cent per annum, payable in equal quarterly
installments on the first day of each quarter commencing July 1, 2005

the principal to be due and payable July 1, 2015

and both principal and interest to be payable at

or at any other place hereafter

designated by the holder.

Said interest rate shall be reduced to ----- per cent per annum so long as each and every
installment of interest and principal is paid as the same falls due or within ten days thereafter.

Any holder hereof without notice to anyone may declare the entire debt due after ten days con-
tinuous default in the payment of any installment of principal or interest or in the performance or
observance of any covenant or condition contained in the mortgage securing this note. Upon such
declaration the entire debt shall be immediately due and payable.

Overdue installments of interest and principal shall bear interest at the rate of ----- per cent per
annum, payable quarterly.

Any attorney-at-law may appear in any court of record situated in the County where -----
then reside or in the County where ----- signed this warrant and being in the United States
at any time after ----- The debt hereby evidenced shall become due, either at its stated maturity or by de-
claration, and waive the issuing and service of process and confess judgment against the maker or
makers, jointly and severally, in favor of the holder, for the amount then owing hereon, together with
the costs of suit, and thereupon, release all errors and waive all rights of appeal.

This note is secured by a mortgage from the maker or makers to the payee upon premises known or
designated as 3572 Lytle Road, Shaker Heights, OH 44122

WARNING -- BY SIGNING THIS PAPER YOU GIVE UP YOUR RIGHT TO NOTICE AND COURT TRIAL IF YOU DO
NOT PAY ON TIME A COURT JUDGMENT MAY BE TAKEN AGAINST YOU WITHOUT YOUR PRIOR KNOWLEDGE AND
THE POWERS OF A COURT CAN BE USED TO COLLECT FROM YOU REGARDLESS OF ANY CLAIMS YOU MAY HAVE
AGAINST THE CREDITOR WHETHER FOR RETURNED GOODS, FAULTY GOODS, FAILURE ON HIS PART TO COMPLY
WITH THE AGREEMENT, OR ANY OTHER CAUSE.

EXHIBIT TO 53755

Jon S. Gordon

MICHELLE M. RAZAYESKI

Notary Public, State of Ohio

Commission Expires Sept. 27, 2006

Recorded in Cuyahoga County

CV12773416

RETURN - WRIT OF POSSESSION

Exhibit D-7

Cancelled Writ of
Possession


The State of Ohio }
Cuyahoga County } **SS.**

AURORA BANK FSB, Plaintiff

vs

DANIELLE POWER GORDON AS POSSIBLE HEIR OF JON GORDON, ET AL, Defendant

FEES	
Service and Return	\$6.00
Mileage	\$15.00
Writ	\$0.00
Clerk	\$2.00
Writ Of Possession -	\$40.00
Paid By: MANLEY, DEAS & KOCHALSKI LLC//	
Total	\$63.00

SERVICE RESULTS	
Notice	11-8-16 T.T.D.
Deputy,	D. SCHLEGEL
Service Date / Time	12/06/2016 at 11:00 AM
Deputy	CYRUS
Result	CANCELLED, NO MOVERS
CANCELLED NO MOVERS PROVIDED FOR SCHEDULED MOVE OUT 12-6-16 @ 11:00 AM.	
 Cuyahoga County Sheriff DEPUTY	

Returned - December 12, 2016



DEC 14 2016

CV12773416

96845746



SCJD

773416

Ohio Revised Code 2327.02

Exhibit D-5
Writ of Possession

The State of Ohio, } ss.
Cuyahoga County.

To the Sheriff of said County, - GREETING:

WHEREAS, in a certain action lately prosecuted in our Court of Common Pleas, within and for said Cuyahoga County, wherein AURORA BANK FSB, Plaintiff Recovered a judgment against, DANIELLE POWER GORDON ETAL, Defendant For the premises and the possession of the following described real property, to-wit:

PLEASE EVICT: DANIELLE POWER GORDON ETAL, his/her family and
all of their

possessions from: 3572 LYTLE RD
SHAKER HEIGHTS OH 44122-0000

Together with \$ _____ damages and \$ _____ costs.

THEREFORE, You are commended to deliver possession of the real property afore-said to the plaintiff - AURORA BANK FSB.

_____ and that you make due
return of this writ within sixty days from date hereof.

2016 NAILAH K. BYRD, Clerk of Courts

By [Signature] Deputy Clerk

96910541



CV12773416

CC-5 / 1227



Exhibit D-5
Writ of Possession

Case No. 773416

Cuyahoga Common Pleas

AURORA BANK FSB

VS.

DANIELLE POWER GORDON ETAL

**WRIT OF POSSESSION
REAL PROPERTY AND DAMAGES**

This Writ dated December 19th, 2016

Damages.....\$ _____
Costs.....\$ _____
\$ _____
Deft's Costs.....\$ _____

Int. from _____

Increases Costs.....\$ 2.00

DAVID B BOKOR

Plaintiff's Attorney

Received _____ 20__ M

Sheriff

Returned and Filed _____ 20__

The State of Ohio,
Cuyahoga County. } ss.

Service and Return

Mileage

CV12773416

96896771



**IN THE CUYAHOGA COUNTY COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

Exhibit D-6

2nd Pluries Praecipe

Aurora Bank FSB

Plaintiff,

vs.

Danielle Power Gordon, et al.

Defendants.

Case No. CV-12-773416

2nd
PLURIES PRAECIPE

TO CLERK OF COURTS:

Please issue a Pluries Praecipe for Writ of Possession in the above case.

The legal description of the property is attached hereto as Exhibit A. Please remove
Defendant(s) Danielle Power Gordon, and all his/her/their family and all of their possessions
from the property commonly known as 3572 Lytle Road Shaker Heights, OH 44122.

Respectfully submitted,

/s/ Andrew S. Dugan

Michael E. Carleton (0083352)
Melissa N. Hamble (0083909)
Jacqueline M. Wirtz (0090268)
Andrew S. Dugan (0090691) ^x
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-222-1024
Email: mec@manleydeas.com
Attorney for Plaintiff

FILED

2016 DEC 16 P 9:57

CLERK OF COURTS
CUYAHOGA COUNTY

CUYAHOGA COUNTY
SHERIFF DEPT
CIVIL BRANCH
2016 DEC 16 A 8:41

15-014272_JEL

J2

Jessica Leiken FaxFinderServerP8

(3/3) 12/15/2016 10:45:31 AM -0500

EXHIBIT A

Legal Description

Situated in the City of Shaker Heights, County of Cuyahoga, and State of Ohio:

And known as being Sublot No. 2305, in a Re-Allotment of part of The Van Sweringen Company's Subdivision No. 24, of part of Original Warrensville Township Lot No. 55, as shown by the recorded Plat in Volume 96 of Maps, Page 10 of Cuyahoga County Records, and being 50 feet front on the Westerly side of Lytle Road, 121-89/100 feet deep on the Northerly line. 127-35/100 feet deep on the Southerly line, and being 50-30/100 feet in the Rear, as appears by said plat.

15-014272_JEL

J2

Permanent 738-29-013
Parcel #:

OFFICE OF FISCAL OFFICER - 3
DESH 6/12/2015 10:25:07 AM
201506120449

Type Instrument: **Sheriff's Deed** Date: 6/12/2015 8:16:00 AM
Tax District #: **3310** Tax List Year: **2015**
Land Use Code: **5100**
Grantee: **U.S. BANK NATIONAL ASSOCIATION** Land Value: **31,200**
Balance Assumed: **\$ 0.00** Building Value: **110,600**
Total Consideration: **\$ 66,667.00** Total Value: **141,800**
Conv. Fee Paid: **\$ 288.80** Arms Length Sale: **UNKNW**
Transfer Fee Paid: **\$ 0.50** Rcpt: **E-06122015-1**
Fee Paid by: **Sheriff** Inst #: **702807**
Exempt Code: Check #: **5727**

Exhibit D-9

Sheriff's Deed


Cuyahoga County Fiscal Officer

SHERIFF'S DEED
Ohio Revised Code §2329.36

I, Frank Bova, Sheriff of Cuyahoga County, Ohio pursuant to the Judgment and Decree in
foreclosure entered on November 12, 2014 in favor of
Nationstar Mortgage, LLC

in the amount of \$249,999.05, the Order of Sale entered on November 19, 2014, the
Confirmation of Sale entered on May 15, 2015 And in consideration of the sum
of \$66,667.00 dollars the receipt whereof is hereby acknowledged, does
hereby **GRANT, SELL AND CONVEY** unto

U.S. Bank National Association, as Indenture Trustee, successor in interest to Bank of America, National
Association, as Trustee, [successor by merger to LaSalle Bank National Association, as Indenture Trustee],
for LXS 2007-8H, ASSET BACKED NOTES, SERIES 2007-5H
350 Highland Drive, Foreclosure Department Lewisville, TX 75067

and his heirs and assigns forever, all the rights, title and interest of the parties in the Court of
Common Pleas, Cuyahoga County, Ohio, Case Number
CV-12-773416

Aurora Bank FSB

vs.

Danielle Power Gordon as possible heir of Jon Gordon, et al.

and all pleadings therein incorporated herein by reference in and to the following Lands and
Tenements situated in the County of Cuyahoga and State of Ohio, known and described as
follows, to wit:

<Attach Legal Description>

This deed does not reflect any restrictions, conditions or easements of record. Purchaser(s) / Grantee(s) take(s) subject to any such existing restrictions, conditions, easements and any and all real property taxes, assessments, interest and/or penalties from confirmation of sale, as provided By Ohio Revised Code 323.47.

Prior Owner:
Jon S. Gordon

Parcel Number(s):
736-29-013

Prior Instrument Reference:
dated November 27, 1998, filed November 30, 1998, recorded at Official Instrument Number 199811301838, Recorder's Office, Cuyahoga County, Ohio

Executed Officially this

28th

day of

May 2015

Frank Bova, Cuyahoga County Sheriff

By:

James Bitterman, Chief Deputy Sheriff
Civil Division, Cuyahoga County Sheriff's Office

The State of Ohio }
CUYAHOGA COUNTY

The foregoing was acknowledged before me this 28th day of

May

2015

By James Bitterman, Chief Deputy Sheriff,

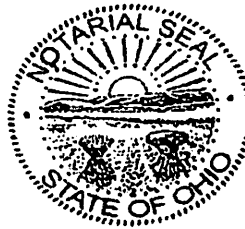
Cuyahoga County, Ohio

This instrument was prepared by:

Manley Deas Kochalski LLC
PO BOX 165028
COLUMBUS, OH, 43216-5028

Notary Public State of Ohio

My Commission Expires.



SHAUNDRA M. HOWARD
NOTARY PUBLIC
FOR THE
STATE OF OHIO
My Commission Expires
December 3, 2019

Exhibit D-8

Pg 34 of 42

Return of Sale



Cuyahoga County Sheriff

REPORT OF SALE**CV-12-773416 OOS****The State of Ohio**

Cuyahoga County

ss.

In Obedience to the command of the foregoing Order of Sale,

I did on the 25th day of November A.D. 2014 summon BRENT T BAILEY, BRADFORD CHARNAS and GREGORY W. CONTE, three disinterested freeholders, residents of said County who were by me, duly sworn to view and appraise the lands and tenements therein described, and who returned to me under their hands and seals that they did, upon actual view of the premises, estimate and appraise the real value in money, of the same at One Hundred Thousand Dollars And Zero Cents exactly (\$100,000.00).

And on the 25th day of November A.D. 2014, I deposited a certified copy of said appraisal in the office of the Clerk of Court of Common Pleas of said County. And on the 6th day of December A.D. 2014, I caused to be advertised in the DAILY LEGAL NEWS (newspaper...printed and published and of general circulation in Cuyahoga County) said lands and tenements to be sold at public sale at the Court House of said County, on the Monday the 5th day of January A.D. 2015, between the hours of 9:00 AM to 12 o'clock, noon of the said day.

And having so advertised said lands and tenements for three consecutive weeks and on the same day of January A.D. 2015, between the hours above mentioned, proceed to offer said lands and tenements at public sale at the said Court House, and then there came U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS TRUSTEE, (SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE), FOR LXS 2007-8H, ASSET BACKED NOTES, SERIES 2007-5H 350 HIGHLAND DRIVE, FORECLOSURE DEPARTMENT LEWISVILLE, TX 75067-0000 who bid for the same 3572 LYTLE ROAD, the sum of \$66,667.00 dollars, and said sum being not less than two-thirds of the appraised value, and said U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS TRUSTEE, (SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE), FOR LXS 2007-8H, ASSET BACKED NOTES, SERIES 2007-5H being the highest and best bidder thereof, I then and there publicly sold and struck off said Lands and Tenements to same for the sum of \$66,667.00.

FEES	
Calling Inquest	\$20.00
Appraisers' Fees	\$150.00
Printer's Fees and affidavit	\$392.00
Notice to Printer	\$3.00
Swearing in Appraisers	\$9.00
Mileage	\$1.21
Poundage	\$0.00
Service and Return	\$14.00
PAID \$ 2722.30	
Total	JUN 05 2015 \$589.21

PAID	
Total Amount Made on this Writ	66,667.00
Paid Taxes	3572.77
Paid Costs to Clerk	2722.30
Retained my fees hereon	46.00
Paid Receipt from Nationstar	60,325.93
Paid	
Paid	
Paid	
Paid	
Paid	
Paid	

Cuyahoga County Sheriff

CUYAHOGA COUNTY
CLERK OF THE COURTS
By [Signature] Deputy

SCPR

201111180376

Exhibit D-10

TX ALS to Aurora Bank

Recording Requested By: AURORA BANK FSB
When Recorded Return To: ASSIGNMENT PREP, AURORA BANK FSB P.O. Box 1706, Scottsbluff,
NE 69363-1706

CORPORATE ASSIGNMENT OF MORTGAGE

Cuyahoga, Ohio
REF #:0045268737 "JON GORDON"

MERS #: 100025440003611636 SIS #: 1-888-679-6377

Date of Assignment: August 13th, 2011

Assignor: AURORA LOAN SERVICES LLC BY AURORA BANK FSB, AS ITS ATTORNEY-IN-FACT at
2617 COLLEGE PARK, SCOTTSBLUFF, NE 69363

Assignee: AURORA BANK FSB at 1000 N. WEST STREET, STE 200, WILMINGTON, DE 19801

Executed By: JON GORDON, A MARRIED MAN To: MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. AS NOMINEE FOR LEHMAN BROTHERS BANK, FSB, A FEDERAL SAVINGS
BANK

Date of Mortgage: 01/25/2007 Recorded: 02/06/2007 as Instrument No.: 200702060666 In the
County of Cuyahoga, State of Ohio.

Property Address: 3572 LYTLE ROAD, SHAKER HEIGHTS, OH 44122

KNOW ALL MEN BY THESE PRESENTS, that for good and valuable consideration, the receipt and
sufficiency of which is hereby acknowledged, the said Assignor hereby assigns unto the above-named
Assignee, the said Mortgage having an original principal sum of with interest, secured thereby, with all
moneys now owing or that may hereafter become due or owing in respect thereof, and the full benefit
of all the powers and of all the covenants and provisos therein contained, and the said Assignor hereby
grants and conveys unto the said Assignee, the Assignor's beneficial interest under the Mortgage.

TO HAVE AND TO HOLD the said Mortgage, and the said property unto the said Assignee forever,
subject to the terms contained in said Mortgage.

IN WITNESS WHEREOF, the undersigned, by the officer duly authorized, has duly executed the
foregoing instrument.

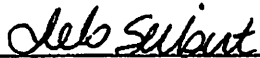
AURORA LOAN SERVICES LLC BY AURORA BANK FSB, AS ITS ATTORNEY-IN-FACT
On August 13th, 2011

By: 
REGINA LASHLEY, Senior Vice-President

CORPORATE ASSIGNMENT OF MORTGAGE Page 2 of 2

STATE OF Nebraska
COUNTY OF Scotts Bluff

On August 13th, 2011, before me, DEB SEIBERT, a Notary Public in and for Scotts Bluff in the State of Nebraska personally appeared REGINA LASHLEY, Senior Vice-President, personally known to me (or
WITNESS my hand and official seal,


DEB SEIBERT
Notary Expires: 03/23/2015



(This area for notarial seal)

Prepared By: Stefanie Rodgers, AURORA BANK FSB 2617 COLLEGE PARK, PO BOX 1706,
SCOTTSBLUFF, NE 69363-1706 308-220-2315

After recording, please return to:
Manley Deas Kochalski, LLC
P.O. Box 165028
Columbus, OH 43216-5028

Exhibit D-11

TX Aurora Bank to NSTAR



ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, AURORA BANK, FSB, WHOSE ADDRESS IS 2617 College Park Drive, Scottsbluff, NE, 69361, (ASSIGNOR), by these presents does convey, grant, sell, assign, transfer and set over the described MORTGAGE with all interest secured thereby, all liens, and any rights due or to become due thereon to NATIONSTAR MORTGAGE LLC, WHOSE ADDRESS IS 350 Highland Drive, Lewisville, TX 75067 (469)549-2000, ITS SUCCESSORS OR ASSIGNS, (ASSIGNEE).

Said MORTGAGE executed by: *Jon Gordon* (current owner) and recorded on 02/06/2007 in the record of mortgages Volume page and/or Instrument # 200702060666 in the office of the Recorder of CUYAHOGA, Ohio.

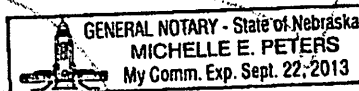
Dated on 07/05 /2012 (MM/DD/YYYY).
AURORA BANK, FSB

By: *Cassandra Leet*
Cassandra Leet
VICE PRESIDENT

STATE OF NEBRASKA COUNTY OF SCOTTS BLUFF

The foregoing instrument was acknowledged before me on 07/05 /2012 (MM/DD/YYYY) by Cassandra Leet as VICE PRESIDENT of AURORA BANK, FSB. He/she/they is (are) personally known to me.

Michelle E. Peters
Michelle E. Peters
Notary Public - State of NEBRASKA
Commission expires: 09/22/2013



OH

When Recorded Return To: _____

Prepared By: Shae Brost, Aurora Bank FSB, 2617 College Park, Scottsbluff NE 69361 888-522-9295
NSMAA 16843098 -- BP CJ3941394 [PREP] FRMOHXI



16843098

After Recording, Please Return to:
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
File Number: *12-01580*

Exhibit C

Danielle P. Gordon, Pro Se

Surviving Spouse of Jon S. Gordon
3572 Lytle Road
Shaker Heights, Ohio 44122
216-752-0431 (fax/manual)
216-337-4143

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re	:
LEHMAN BROTHERS HOLDINGS INC., et al.,	:
Debtors	:
:	:
:	:
-----X	

Chapter 11 Case No.
08-13555(scc)
(Jointly Administered)

(PROPOSED) Order Finding Motion for Relief From Stay, Well Taken

Upon the motion of Danielle Pauer Gordon, a party in interest: of Lehman Brothers Holdings Inc. and its Affiliated Debtor, SASCO, for a Relief from Stay, and to Preserve the Status Quo, regarding Movants loan and claim within the file 45268737 all as more fully described in the Motion and Supporting Brief, supplement and related pleadings,

[ECF No. 53755,] and related documents and;

it appearing that no other or further notice need be provided;

and the Court having found and determined that the relief sought in the Motion is in the best

interests of the Chapter 11 Estates, their creditors, and all parties in interest, and that the legal

and factual bases set forth in the Motion establish just cause pursuant to Bankruptcy Rule

9006(b) find that the stay is lifted to preserve the status quo, and;
for the relief granted herein; and
after due deliberation; and sufficient cause appearing therefor,

it is ORDERED

nunc pro tunc from the date of May 23, 2014.

that the relief requested in the Motion is GRANTED;

and it is further; ORDERED;

That this Court shall retain jurisdiction to hear and determine
all matters arising from or related to this Order.

Dated: _____, 2017 New York, New York

UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

New York, NY 10004-1408 The Hon. Judge Shelley C. Chapman, United States Bankruptcy
Judge, Southern District Of New York, One Bowling Green, New York, NY 10004-1408,
Chambers

NOTICE OF ORDER PLEASE SEND A COPY TO THE FOLLOWING:

(C) the Office of the United States Trustee for the Southern District of New York, U.S.

Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014 (Attn:
William K. Harrington, Esq., Susan D. Golden, Esq., and Andrea B. Schwartz., Esq.);

(D) Milbank, Tweed, Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, New
York 10005 (Attn: Dennis F. Dunne, Esq., Wilbur F. Foster, Jr., Esq., Dennis C. O'Donnell,
Esq., and Evan R. Fleck, Esq.), attorneys for the official committee of unsecured creditors;

(E) Willkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019 (Attn:
Paul V. Shalhoub, Esq., Todd G. Cosenza, Esq., and Benjamin P. McCallen, Esq.), attorneys for
LBHI and certain of its affiliates; and (F) Rollin Braswell Fisher LLC, 8350 East Crescent
Parkway, Suite 100, Greenwood Village, Colorado 80111 (Attn: Michael A. Rollin, Esq. and
Maritza Dominguez Braswell, Esq.)

(G) Michael S. Schuster, Esq. Howell Shuster and Goldberg, LLP, 750 7th Avenue, 26th
Floor NY New York 10019

(H) Franklin H. Top III CHAPMAN AND CUTLER LLP 111 West Monroe Street Chicago,
Illinois 60603

(I) Danielle P. Gordon, 3572 Lytle Road Shaker Heights, Ohio 44122

Date _____ 2017 ____

Clerk of Court _____

Vito Genna, Clerk of Court Southern District of New York Bankruptcy Court